

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: March 18, 2003

Signature: *Richard H. Anderson*

(Richard H. Anderson)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 29785/10000
(PATENT)

In re Patent Application of:
Gary W. Beall

Application No.: 09/867813

Group Art Unit: 1616

Filed: May 30, 2001

Examiner: A. Pryor

For: ALLERGEN ABSORBENT, BLOCKING, AND
DEACTIVATING COMPOSITIONS AND
METHOD

AMENDMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action of December 24, 2002, please amend the
above-identified application as follows:

In the Claims

Cancel claim 3, without prejudice.

Amend claims 1, 2, 23, 24, 25 and 26 as follows:

1. (TWICE AMENDED) An allergen sorbent composition comprising a smectite clay having a cation exchange capacity of at least 75 meq./100 grams of clay, intercalated with an alkyl pyrrolidone surface modifier intercalant molecule wherein the alkyl contains at least 6 carbon atoms, said intercalant molecule being ion-dipole bonded on an inner platelet surface of the clay to form a surface-modified clay; said surface-modified clay dispersed in a cosmetically acceptable carrier.

03/28/2003 ZJUHA1 00000022 09867813

01 FC:2201
02 FC:2202

210.00 DP
81.00 DP

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APR 02 2003

TECH CENTER 1600/2900

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4-3-3

Please type a plus sign inside this box → ☐Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/867813
Filing Date	May 30, 2001
First Named Inventor	Gary W. Reed
Group Art Unit	1616
Examiner Name	A. Pryor
Attorney Docket Number	2978

Total Number of Pages in This Submission

1

Attorney Docket Number

2978

APR 02 2003

TECH CENTER 1600/2900

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MARSHALL, GERSTEIN & BORUN Richard H. Anderson - 26,526
Signature	<i>Richard H. Anderson</i>
Date	March 18, 2003

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(Richard H. Anderson)



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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 291.00

Application Number 09/867813-Conf. #06617
Filing Date May 30, 2001
First Named Inventor Gary W. Beall
Examiner Name A. Pryor
Group Art Unit 1616
Attorney Docket No. 29785/10000

Complete if Known

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number 13-2855

Deposit Account Name MARSHALL, GERSTEIN & BORUN

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
1001 750	2001 375		Utility filing fee		
1002 330	2002 165		Design filing fee		
1003 520	2003 260		Plant filing fee		
1004 750	2004 375		Reissue filing fee		
1005 160	2005 80		Provisional filing fee		
SUBTOTAL (1) (\$)				0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
34	-25** = 9	9.00	81.00
Independent Claims	8	-3** = 5	42.00
Multiple Dependent			

Large Entity	Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 18	2202 9			Claims in excess of 20	
1201 84	2201 42			Independent claims in excess of 3	
1203 280	2203 140			Multiple dependent claim, if not paid	
1204 84	2204 42			** Reissue independent claims over original patent	
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 291.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for ex parte reexamination.	
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 410	2252 205			Extension for reply within second month	
1253 930	2253 465			Extension for reply within third month	
1254 1,450	2254 725			Extension for reply within fourth month	
1255 1,970	2255 985			Extension for reply within fifth month	
1401 320	2401 160			Notice of Appeal	
1402 320	2402 160			Filing a brief in support of an appeal	
1403 280	2403 140			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55			Petition to revive - unavoidable	
1453 1,300	2453 650			Petition to revive - unintentional	
1501 1,300	2501 650			Utility issue fee (or reissue)	
1502 470	2502 235			Design issue fee	
1503 630	2503 315			Plant issue fee	
1460 130	1460 130			Petitions to the Commissioner	
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180			Submission of Information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 750	2809 375			Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375			For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375			Request for Continued Examination (RCE)	
1802 900	1802 900			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Richard H. Anderson Registration No. 28,526
Signature *Richard H. Anderson* Telephone (312) 474-9556
Date March 18, 2003

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Signature: *Richard H. Anderson* (Richard H. Anderson)



AMENDMENT TRANSMITTAL LETTER

Docket No.
29785/10000Application No.
09/867813-Conf. #06617Filing Date
May 30, 2001Examiner
A. PryorArt Unit
1616

Applicant(s): Gary W. Beall

Invention: ALLERGEN ABSORBENT, BLOCKING, AND DEACTIVATING COMPOSITIONS AND METHOD

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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application. TECH CENTER 1600/2900
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	34	- 25 =	9	x 9.00	81.00
Independent Claims	8	- 3 =	5	x 42.00	210.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					291.00

☐ Large Entity☒ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☒ A check in the amount of \$ 291.00 to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 13-2855
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Richard H. Anderson
Richard H. Anderson
Attorney Reg. No.: 26,526

Dated: March 18, 2003

MARSHALL, GERSTEIN & BORUN
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-9556

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Dated: March 18, 2003

Signature: *Lillian R. Ruiz-Orellana*(Lillian Ruiz-Orellana)
(DO NOT WRITE IN THESE SPACES)